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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONNA MARTINEZ,

Plaintiff,

14-civ-02548 (PAC) (HBP)

-against-

INITIAL DISCLOSURES

THE MOUNT SINAI HOSPITAL a/k/a MOUNT
SINAI MEDICAL CENTER,

Defendant.

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure Defendant The Mount Sinai Hospital (“Mount Sinai”) (named herein as “The Mount Sinai Hospital a/k/a Mount Sinai Medical Center”), make the following initial disclosures:

I.

FRCP 26(a)(1)(A)(i): Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information;

Response: The individuals (to the extent currently known by Defendant) likely to have discoverable information regarding the disputed facts alleged with particularity in the pleadings are: (i) Plaintiff, (ii) Warren Mascarenas, Billing Manager in the Department of Surgery at Mount Sinai; (iii) Saleha Ahmed, Administrative Manager in the Department of Surgery at

Mount Sinai; (iv) Emily Hannon, current Mount Sinai employee; and (v) Salvatore LaVecchia, Director of Labor Relations at Mount Sinai. Mascarenas, Ahmed, Hannon and LaVecchia may be contacted through Edwards Wildman Palmer LLP.

II.

FRCP 26(a)(1)(A)(ii): Provide a copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment;

Response: The documents (to the extent currently known by Defendant) that may be relevant to the disputed facts alleged with particularity in the pleadings (and not privileged or otherwise immune from discovery) are: (i) Plaintiff's Department and Labor Relations files; (ii) Plaintiff's attendance records; (iii) medical records relating to Plaintiff's eye condition; (iv) documents relating to Plaintiff's application for, and subsequent hearing regarding, unemployment benefits; (v) documents from the H-Link employee call-out system; and (vi) Plaintiff's state court complaint, dated March 17, 2014.

Defendant reserves the right to amend this list and reserve the right to rely on any documents identified by the Plaintiff.

III.

FRCP 26(a)(1)(A)(iii): Provide a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered; and

Response: Other than costs and attorneys' fees associated with the defense of this action, the total amount of which cannot yet fully be calculated, Defendant is not presently seeking any damages.

IV.

FRCP 26(a)(1)(A)(iv): Provide for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Response: The insurance agreement (if one exists) under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment will be made available for inspection at a mutually convenient time.

Date: July 8, 2014
New York, New York

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